REMARKS

Claims 1, 6, 8, 9, 15, 17 and 21 are presently amended, claims 5, 7, 14 and 16 are canceled, leaving claims 2-4, and 10-13 and 18-20 unchanged.

35 U.S.C. §112 Rejections

Claim 21 is rejected for lacking antecedent basis for the terms "the body" and "the motor vehicle".

Claim 21 has been amended to set forth "a body". Applicant respectfully sets forth that "a motor vehicle" is introduced in the preamble of claim 1. Applicant asserts that this provides sufficient antecedent basis for the term "the motor vehicle".

35 U.S.C. §102 Rejections

Claims 1-21 stand rejected under 35 U.S.C. §102 as being anticipated by Egner-Walter (EP 0950586).

Claim 1 has been amended to include the subject matter of claims 5 and 7. Specifically, claim 1 sets forth a windshield wiper device, for a motor vehicle, comprising a carrier (12) for fixing to a first part (52), and a locking element (40), which enables the carrier (12) to be fixed to the first part (52) by means of a rotational connection, characterized in that the locking element (40) has a predetermined breaking point (41), characterized in that the locking element (40) features a first section (42), which is longer in cross section than it is wide, and the predetermined breaking point (41) is arranged in the first section (42), and characterized in that the first section (42) has a transverse groove (48) to accommodate the first part (52).

In contrast, Egner-Walter discloses an attachment section 16 attached to a holder 1, and an attachment element 6, which connects the attachment section 16 and the holder 1 by rotating the attachment element 6 (see paragraphs 8, 18). The attachment element 6 is connected to a bolt element 7, 8, and the bolt element 7, 8 appears to be longer in cross-section than it is wide.

Egner-Walter does not teach or suggest, among other things, that a locking element has a pre-determined breaking point arranged in a first section, as set forth in claim 1. Rather, Egner-Walter does not include any indication of a predetermined breaking point.

The present application defines the predetermined breaking point 41 in Figs. 2-5 and paragraphs 4, 6, 9, 25 and 26. The breaking point 41 is thoroughly described and illustrated as

having a reduced resistance cross section that is designed and shaped to break upon pedestrian impact.

Egner-Walter further does not teach or suggest, among other things, that the first section has a transverse groove to accommodate the first part, as set forth in claim 1. Rather, Egner-Walter discloses an opening 2 between the attachment element 6 and the bolt elements 7, 8, that receives a collared sleeve 10, an elastic damper 13, the holder 1 and the attachment section 16.

The present application defines the transverse groove 48 in Figs. 2 and 3 and paragraphs 11, 22, 25 and 29. The transverse groove 48 is thoroughly described and illustrated as being sized to receive the first part.

Egner-Walter does not teach or suggest each and every element of claim 1, and therefore does not anticipate claim 1. Withdrawal of the 35 U.S.C. §102 rejection is respectfully requested.

Further, it would not be obvious to one of ordinary skill in the art to modify the device of Egner-Walter to include a pre-determined breaking point or a transverse groove, as claimed in claim 1. Rather, Egner-Walter discloses that the rotatable latch is attached by rotation and detached by counter-rotation, see paragraph 8. There is no teaching, suggestion or motivation to include a pre-determined breaking point or a transverse groove.

CONCLUSION

In view of the foregoing, Applicants respectfully request entry of the present Amendment, allowance of claims 1-4, 6, 8-13, 15 and 17-21.

If additional consultation will further prosecution, the undersigned is available during normal business hours at the below-identified telephone number.

Respectfully submitted,

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